

**REMARKS****Overview**

Claims 1-3, 5- 6, 8-11 and 13-16 are pending in this application. Claims 1, 2, 9, 13, and 14 have been amended to placed the case in proper form for allowance or better form for appeal. Reconsideration and passage to issuance are respectfully requested.

**Issues Under 35 U.S.C. § 103**

Claims 1-3, 5, 6, 8-16 and 18 have been rejected under 35 U.S.C. § 103(a) as being unpatentable over U. S. Patent No. 5,088,056 to McIntosh et al.

It is respectfully submitted there are significant differences between the Applicants' invention as claimed and McIntosh.

The McIntosh reference does not disclose "a method of monitoring power outages in a household refrigerating appliance" and "alerting a user of the duration of the power outage via an integrated electronic display".

McIntosh discloses a medication clock that has a memory with a programmable timer that records time and date for taking medication dispensed from compartments of the medication clock. The time when a person takes the medication is recorded and is outputted to a printer for review by a pharmacist or a physician.

McIntosh does not disclose a device that is integrated into an appliance, let alone into a household refrigerating appliance. McIntosh's sole reference to a refrigerator (col. 3, lines 65-67) simply highlights an example of a printed output and does not indicate an incorporation of the medical timer into an appliance.

McIntosh further does not disclose the incorporation of an electronic display to alert a user of the duration of a power outage. The device disclosed in McIntosh does not use an

integrated electronic display but simply prints the information out on paper. McIntosh only discloses use of an auxiliary device for electronic notice and does not include a full integration. Therefore, the rejection of claim 1 should be withdrawn. As claims 2-3, 5-6 and 8 depend from claim 1, these rejections must also be withdrawn.

Claim 9 requires "periodically storing a time prior to a power outage" and "determining by the household refrigerating appliance of a duration of the power outage", the Examiner states that the calculation of the duration of a power outage is a simple and obvious step based on the reporting of the start and end times of the power outage (Office Action, page 3, lines 14-15). This analysis is incomplete. McIntosh would have no motivation for calculating the duration of the power outage as the intent of the inventor was to ensure that certain medical dosages occurred and not to determine the shelf life of the medication. The fundamental difference in the principal of operation is further emphasized by the limitation that the household refrigerating appliance determines "a prior occurrence of power outage". It is respectfully requested that these rejections to claim 9 be withdrawn. As claims 10-12 depend from claim 9, these rejections should also be withdrawn.

Claim 13 has been amended to include the limitation of "an integrated electronic display operatively connected to the intelligent control". McIntosh does not disclose this limitation. For the reasons expressed previously, McIntosh operates on a fundamentally different principle of operation. The rejections to claim 13 should be withdrawn. As claims 14-16 and 18 depend from claim 13, these rejections should also be withdrawn.

#### **Amendments to Claims**

Claims 1 and 9 have been amended to incorporate the limitations "household refrigerating appliance" and "via an integrated electronic display". Claim 2 has been amended to clarify the

limitation on the appliance to include a "freezer". Claim 12 has been cancelled for clarification.

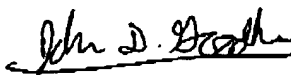
Claim 14 has been amended for clarification. It is respectfully submitted that this response places the application in proper form for immediate allowance or in better form for appeal.

#### Conclusion

No fees or extensions of time are believed to be due in connection with this amendment; however, consider this a request for any extension inadvertently omitted, and charge any additional fees to Deposit Account No. 26-0084.

Reconsideration and allowance is respectfully requested.

Respectfully submitted,



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